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Library, on the wrapper of which is written, "Returns of Negros"; also, in the hand of Mr. Felt, a former Librarian of the Society, "Printed in 3d vol. 2 series, p. 95 to 97. These papers belong to the Mass. Archives." On which it was unanimously *voted* to return these papers to the Massachusetts Archives.

DECEMBER MEETING, 1873.

A stated meeting was held on Thursday, December 11, at 11 o'clock A.M.; the President in the chair.

The Recording Secretary read the record of the preceding meeting.

The Librarian read his monthly list of donors to the Library.

The President announced the death of Don Joaquin José da Costa de Macedo, of Lisbon, Portugal, an Honorary Member since 1839; his decease having been announced by Lord Stanhope, at the Annual Meeting of the London Society of Antiquaries, last year.

He also noticed the decease of a Corresponding Member, John Gough Nichols, Esq., of London, and submitted the following account of him, prepared by Mr. Whitmore:—

It is with sincere regret that we learn of the death of our Corresponding Member, John Gough Nichols, Esq., F.S.A. His death, which took place on the 13th November, at Holmwood, near Dorking, closes, for the moment at least, a literary history of very considerable extent and interest. Mr. Nichols was the heir and successor, alike in business and in literary pursuits, of his grandfather, John Nichols, Esq., F.S.A., the historian of Leicestershire, and the compiler of "Literary Anecdotes of the Eighteenth Century." In fact, properly to appreciate the life and work of our late associate, it is necessary to notice the long-continued connection of his family with the literature of antiquities.

John Nichols, a Londoner of good family, was born in 1745, and was apprenticed to William Bowyer, the first of learned English printers, the friend as well as publisher of the most distinguished literary men of his day. Nichols proved so valuable to his master that, on attaining his majority, he was taken into partnership by Bowyer, and contributed thereafter

in an equal degree to maintain and extend the reputation of the firm. As our main intent is to show his antiquarian labors, we will mention that in 1778 Mr. Nichols became editor of the "Gentleman's Magazine," a position which he held for nearly half a century. In this work he devoted much labor in the section of obituaries, an humble but most important division of history. The most noticeable of his antiquarian publications, however, were the two already cited; and also a "Collection of Royal and Noble Wills," "Anecdotes of Hogarth," the revised "Biographical Dictionary," "Progresses of Queen Elizabeth," and "Progresses of James I.," besides various works on local history.*

This John Nichols died 26 November, 1826, in his eighty-second year; and the printing-office passed to his only son, John Bowyer Nichols. The son (born 15 July, 1779, died 19 Oct., 1863) was less conspicuous, perhaps, than his father or than his son; yet he is to be noticed as the editor of "Hutchins's Dorset," and especially as the editor of the reprint of "John Dunton's Life and Errors." It was from the notes to the latter work that the existence of "Dunton's American Letters" was made known; and the knowledge has been made of service by the publication of Dunton's book by the Prince Society.

The "London Athenæum," of Nov. 22, 1873, has the following tribute to the literary labors of our late Corresponding Member: "With such antecedents, it is not surprising that John Gough Nichols distinguished himself as an antiquary. He was born 22 May, 1806, and was the eldest son of John Bowyer Nichols, by his wife Eliza, daughter of John Baker. He was educated at Merchant Taylors' School, and commenced at a very early age his connection with literature by the share he took in the management of the 'Gentleman's Magazine'; and by the experience he thus acquired not only fitted himself for those more important separate publications which proceeded from his pen, but for the editorship of the 'Collectanea Topographica et Genealogica,' which appeared in eight volumes, between the years 1834 and 1843; the three volumes of the 'Topographer and Genealogist,' published between 1850 and 1857; and their successor, the 'Herald and Genealogist,' commenced in 1862, and which is still in course of publication. In all of these, as in the 'Gentleman's Magazine,' Mr. Nichols displayed not only

* A very interesting memoir of Mr. John Nichols was published by his son in 1858. It contains a full list of his various publications, and is adorned with four engravings of portraits. A copy is in the Society's Library, the gift of our late associate. It may be noticed that the Bentleys, Samuel and Richard, famous London publishers, were nephews of John Nichols.

his own earnest love of 'the truth, the whole truth, and nothing but the truth,' in historical inquiries, but an unflinching opposition to all attempts to set up unfounded claims to honors, and to foist 'cooked-up' pedigrees and genealogies upon the public. Mr. Nichols wrote, in 1829, the biographical notices accompanying the 'Autographs of Royal, Noble, and Remarkable Persons'; in 1831, he published an account of 'London Pageants'; in 1833, 'The Monuments in the Beauchamp Chapel, Warwick'; in 1838, a similar work descriptive of 'The Frescoes in the Guild Chapel of Stratford-upon-Avon'; and, in 1849, an interesting little volume on 'The Pilgrimages of Canterbury and Walsingham,' of which we have understood he proposed shortly to issue a new edition.

"In 1838 Mr. Nichols took an active part in the formation of the Camden Society, with which his name must ever be associated; for he edited for the Society the 'Chronicle of Calais' (1846); the valuable 'Diary of Henry Machyn' (1848); the 'Chronicle of Queen Jane and Queen Mary' (1850); the 'Grey Friars' Chronicle of London,' in 1852; 'Grants of King Edward the Fifth,' in 1855; 'Narrative of the Days of the Reformation,' in 1861; and in 1863, in conjunction with his old friend Mr. John Bruce, a 'Collection of Wills from Doctors' Commons.' This was followed, in 1868 and 1869, by the introduction, notes, and literary illustrations to the photolithographic fac-simile of 'Dingly's History from Marble,' and of which it may be truly said they doubled the value of that remarkable book. But, great as were the services thus rendered, they comprise by no means all that he did for the Camden Society. There is scarcely a volume among the long series, of upward of a hundred, which does not bear more or less marks of his revision, and more or less acknowledgment of the value of that revision on the part of their respective editors. It was the same with the majority of the works connected with history or genealogy which passed through the press under the careful eyes of Mr. Nichols, as those, for instance, of the Roxburghe Society, for which he edited, in 1857, two volumes of great interest, namely, 'The Literary Remains of King Edward the Sixth.'

"Mr. Nichols, who was admitted a Fellow of the Society of Antiquaries so long ago as 1835, was a frequent contributor to the 'Archæologia,' as he was, indeed, to the journals of all the various Antiquarian Societies, of which he was an active member; and by his associates in those Societies, as by all who enjoyed the privilege of his friendship, his loss will long be deplored as that of an accomplished gentleman, an honest and

able critic, and one who was always ready to place the vast stores of information which he possessed at the service of earnest laborers in the field of historical truth."

So much for the value attached to his labors by his English contemporaries. Here in America we have reason to regret his loss as being one of the few English genealogists who felt an interest in the transatlantic branches of English families. Mr. Nichols was one of the leaders of the new school of genealogists, one of those who seek the truth in all things, and who subject every thing to analysis and proof. The example of such American searchers in English records as Savage, Somerby, and Chester, has undoubtedly had its effect on local antiquaries. No longer content to repeat the fables of the heralds of the seventeenth century, the genealogist of to-day traces out and uses the original records which alone are of value. Of course the judicious liberality of the British government, both in opening the great Record Offices to the public, and in publishing selections from the National Archives, has enabled antiquaries to work with advantages denied to their predecessors. Still the movement began with the students, and Mr. Nichols was one of the leaders in the improvement.

In the magazine which he founded in 1862, and edited until his death, the "Herald and Genealogist," Mr. Nichols did much to aid in popularizing genealogy. The essays published therein were often histories of families not elsewhere printed, and they were treated with a minuteness of detail necessarily lacking in Burke's immense collections. From the first, Mr. Nichols evinced a great interest in American genealogy, and his pages were always open to correspondents in this country. He reviewed many of our publications, and enriched his critiques with such additions as were afforded by his own ample collections. He not only accepted and praised such things as he could test, but being justified by that confirmation he frankly acknowledged the value of such work as was exclusively American. Such books as "Bond's Watertown" and "Savage's Dictionary" were viewed by him with admiration and respect; and he evidently felt that in the science of genealogy American authors were at least equal to their English associates.

This recognition, it need hardly be said, was of value to us, since it has obtained for our books an authority before lacking, and will eventually give our authors access to sources of information which would be closed to all but acknowledged experts.

We have every reason therefore to lament that our late associate has thus been stopped in his career of usefulness, and to join in the most sincere expressions of regret. To many of us

the notice of his death was a shock as great as the loss of any of our immediate circle, and we feel it to be as great a calamity to American as to English literature.

The President then read the following letter from George Harrison Fisher, of Philadelphia:—

735 WALNUT STREET, PHILADELPHIA,
19th November, 1873.

DEAR SIR,— My father had in his possession two profile likenesses of General Washington and his brother John, respectively, which he desired should, after his death, be given to the Historical Society of Massachusetts. The following short account of them, which he wished should be sent with them, I copy from a memorandum made, under his dictation, by my brother-in-law, Mr. Cadwalader:—

“In the last years of the presidency of General Washington, the accompanying silhouettes of his brother, Colonel John Washington, the father of the distinguished Judge Washington, and himself, were taken by a gentleman in a drawing-room in Philadelphia. They were traced with a steady hand, the shadow being thrown by a brilliant Argand lamp, which had just been invented. This silhouette was taken before the portrait by Stuart, and therefore without its defects in the mouth, &c. The silhouette confirms the accuracy of the bust by Houdon.”

“ALVERTHORPE, November 2, 1872.”

They are now probably at the Adams Express Office in Boston; and if you could kindly send for them, and have them transmitted to the Historical Society, you would be conferring the greatest favor upon my mother and myself.

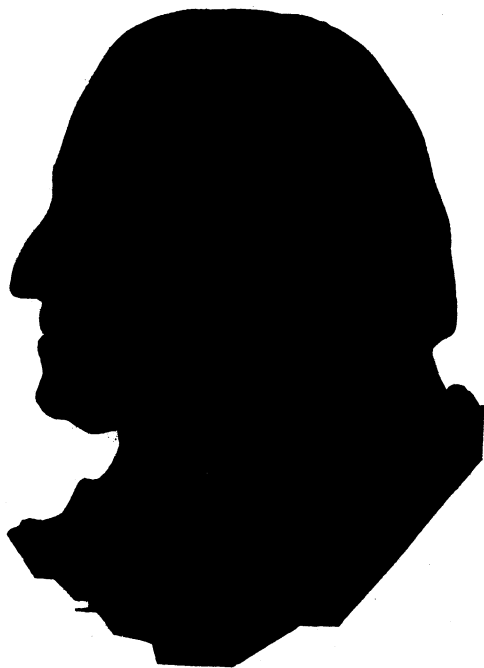
I am, with the greatest respect, yours truly,

GEORGE HARRISON FISHER.

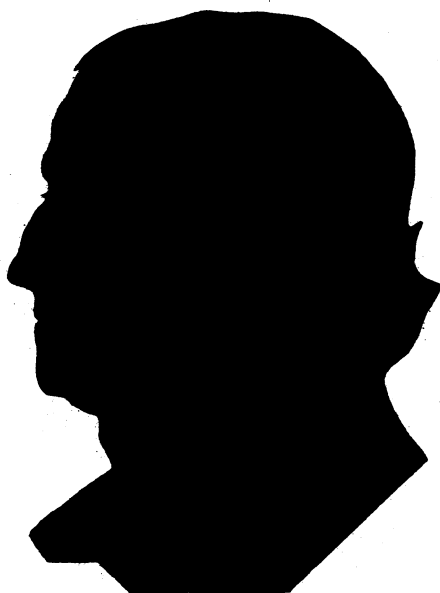
The Hon. ROBERT C. WINTHROP, Boston.

The thanks of the Society were ordered for these interesting gifts.

Gifts were also gratefully acknowledged from Joseph Peabody Gardner, Esq.: of a copy of a wood-cut engraving, known as the “Gerrymander”; a copy from the original draft of “Observations on the Constitution as to the Governor’s Power over the Militia,” written by Judge John Lowell (the great-grandfather of Mr. Gardner,) for Governor Bowdoin; also a letter from Judge Lowell to General Lincoln. The last two papers here follow:—



GEORGE WASHINGTON



JOHN WASHINGTON

*John Lowell to General Lincoln.*BOSTON, Nov: 28th 1782.TO GEN^L LINCOLN.

MY DEAR SIR, — Your two last letters came to Boston while I was absent on a journey to the Eastward, from whence I return'd last week, or I should have noticed them sooner. Col. Hatch had laid before the General Assembly an extract of your letter, before the one you enclos'd me came to hand. I cannot find that the Governor ever communicated it; neither the Speaker, nor any one else that I can find, recollects it; & from the difficulty which the opposers of the continental tax made on account of the sum paid Col. Hatch, I venture to conclude the Gov^t never sent your letter to the House; but all difficulties have been removed, & the matter will be settled by M^r Lovell & Col. Hatch. The Officers who came with a memorial for the army were not pleas'd with the reception they met with here. They not only requested a compromise of the half pay, but a settlement of their wages for the year 1781, & of the parts of rations, &c., due before. Both have been rejected: the former, under pretence that Congress might not approve the measure; & the latter, from the doubtful expressions of some resolves of C. which renders it uncertain whether such settlement is to be made by the states. If the rejection of the compromise had been from the principle avow'd, it might have been well; but I am fully confident three-fourths of the persons who voted for its being postpon'd till the sense of C. could be known were fully determined never to come into the measure, & that they & their constituents are opposed to it in every shape. It is possible a different compensation might be obtain'd if much pains are taken; but one to arise from a calculation of the value of half pay for life, presupposing that due, & amounting nearly equal to the p^rduct of such calculation, I suspect will never obtain here. I feel myself much reliev'd from the effect of your last journey to Camp; you are at the Head of the War Department, yet, while the Officers see you are interested to do them justice, & are labouring their just rights with Congress, your mediation has a fair chance for success. I am pleas'd to find C. have adopted the spirit of your plan, & hope the affair will end well. I know the oeconomical reduction is just & necessary, yet I cannot wonder at nor blame the anxiety of the army on the subject. To retire when the several states view them as a useless burthen, while C. have doubted so far of their claim as not to make provision to answer it, & while many of the states by solemn acts protest against it, appear'd to me on reflection to be submitting themselves to great inconvenience & hazard. This subject naturally revives in my mind the ideas suggested by a letter with which you honor'd me on the subject of the Continental constitution & general taxes. The constitution of the American U. S. & that of the U. P. appear to me reduceable to none of the general divisions which writers on Government have made. They are call'd independent, yet united, — two ideas that appear to me inconsistent with each other. Two states may be independent of each other & allied, but how they can be independent & united I cannot

see. This inconsistency I suspect is not barely in the words or name, but in the thing itself; & that all the difficulties about general taxes on the one hand, & requisitions of C. for money, to be complied with by the states, on the other, arise from this source. If we were in any sense one Government with one Legislative & one Executive, there would be no difficulty in laying general taxes. If we were Independent States allied, & either of the allies refused to comply with the terms of the alliance, the others might seek new allies, or take their measures to compel a performance or act in the Legislature as such a refusal would render proper. As it is, I confess, tho' I agree with you that general taxes will not probably take place, & if they did would operate very partially, & be submitted to with more or less cheerfulness as they affected the states more or less beneficially,—yet I cannot see any dawn through the clouds that obscure the other course. The states will not comply unless they please, & their pleasure is the result of popular interested debates, in which if the people most influential have corrupt designs they will always fail of success, but if they are ever so honest will frequently fail, because their influence will be oppos'd by Ignorance & Wickedness, the former a very obstinate foe, & the latter a very artful one. If the requisitions are not complied with, where lies the remedy? Coercion I think you give up, & indeed it must fail, for most frequently the delinquents would be the most powerful party, & besides the contests would be perpetual. A new convention to settle a Constitution is a measure proposed. I have with you great doubts of its efficacy. The business of Government making, however easy it may be esteem'd, or however plausible it may appear, I have long been of opinion is rarely if ever accomplish'd by consultation. Governments make themselves, or grow up out of the ground; that is, out of the habits, the wants, the wishes of the people; & if all the wise men of the East & of the South were to meet in the Center & form a system that other people would admire & lavishly extol, I suspect it would turn out like Shakespear's "baseless fabrick of a vision." What then is to be done? Blunder on—mend where we can, bear where we cannot—lose on this side, gain on that, & leave to time, accident, or artifice the formation of a better plan. I have ventur'd a set of thoughts—mine often are of sudden growth—these are so. I must once for all beg you to permit me to write in dishabille; if it is not a mark of so much respect as I owe, it is of my friendship & confidence. I wish the Genl Court could know by some explicit declaration of C. what they ought to do as to pay, &c., of the army previous to 1782. I wish we may be exempt from taking up the matter.

I am with much Cordiality your friend & servt

J. LOWELL.

Legal Opinion of Judge Lowell for Gov. Bowdoin.

The only clause in the Constitution w^h respects the authority of the Govt over the Militia is the 7th Article of the 1st Sect. 2^d Chap.: the Govt by this article has a right for the safety of the Commonwealth as its defence to assemble in martial array & put in warlike posture the

inhabitants of the Commonwealth, & with them he has a right to encounter, resist, repel, pursue, & kill all & every such person as shall, in an hostile manner, attempt or enterprize the destruction, invasion, detriment, or annoyance of this Commonwealth. This clause of the article describes the authority of the Gov^t over the Militia, & his power & duty respecting those who shall in an hostile manner, &c. His authority over the militia is surely as extensive as could be wish'd; he may assemble them in martiall array, put them in warlike posture, & with them encounter, kill, &c. The next clause describes the persons to be encounter'd, kill'd, &c., & includes by the terms of it all & every such person or persons as shall in an hostile manner attempt, enterprize, &c. The words are general, & in their own force intend all those who are inhabitants of, or live within the state, as those who are from without, or are foreign enemies. This Clause is also equally extensive in its clear design as plac'd in the Constitution, for it is evident by the injury which the persons to be attack'd, &c., are suppos'd to be doing or intending to do, viz. the destruction & detriment as well as the invasion & annoyance of the Commonwealth, that internal enemies as well as foreign are design'd. Further, when law martial is exercised in case of rebellion declar'd to exist by the Legislature, no new or other authority is given the Gov^t or the militia under him to suppress such rebellion than is given by the words already cited. It is therefor demonstrable that the natural & proper sense of the words is the same sense in which they are used in the Constitution. The only question, then, that at any time can arise, is whether there are any persons who in an hostile manner are attempting or enterprizing the destruction or detriment of the Commonwealth; & can there at any time exist such a doubt, when persons are in arms opposing the admⁿ of justice, quartering themselves on private houses, & refusing to disperse. There is another clause in the same article, from which some persons attempt to show that the Gov^t has no authority to call out the Militia against internal enemies which may in an hostile manner, &c.; which is, that he is authoriz'd, in case of war or invasion or rebellion declar'd by the Legislature to exist, [to] exercise law martial over the Militia; they then conclude that, without such declaration, law martial cannot be exercised in rebellion. Admit the conclusion, & to what does it amount? Only to this, that they must be govern'd by the militia & other laws of the Govern^t & not by law martial, but it cannot in any degree prevent the suppression & destruction of the rebellion with^t law martial. (It may be of some consequence to consider what law martial is, or was when the Constitution was made. Before the Revolution, statutes were made for the regulation & Government of the army & navy of the kingdom, by w^h modes of trying military offenders other than by the usual law of the land were instituted. This then was law martial.) Surely these laws were not in force here when the Constiⁿ was made more than at this time. Rules & regulations have been made by Congress for the gov^t of the continental Forces. These had for their subject the continental forces & the militia when serving with them, & so far was law martial;

but this could never be consider'd as the law martial of the State. The Militia Acts of this State have their proper construction & effect whether the Legislature declare the Existence of a rebellion or not (& all the Government which by them is given to their officers exists). On this Construction the declaration of rebellion simply would give the Gov: & the officers of the Militia no greater authority than they now have, & have they therefore no auth? This would be a strange & unwarranted conclusion. It may be ask'd, what is then the intention of the Constitution as to law martial? I conceive it to be this, the framers of it suppos'd that the State might think it expedient to make a system of law martial for the Government of their forces, whether regular or Militia, in which different penalties & modes of trial might be provided; these they did not intend should be applied to the citizens of the State, but in case of rebellion declar'd to exist they reserv'd military execution, &c., for such a time & case.

What power has an individual or a civil officer in case of treason or felony committed or about to be committed, & how will those principles apply to the militia, to those who lead or those who sent them? An individual may apprehend a traitor or felon, he may prevent a traitorous or felonious act. He is bound to do both if present; *a fortiori*, a civil magistrate, — they have both a right to go to the place where treason or felony are about to be committed, to prevent the same; they have a right to go armed in such manner as may be necessary to defend themselves, prevent the treason or felony, & apprehend the traitor or felon.*

[Copied from original rough sketch.]

The President communicated the Award in the matter of the Hutchinson Papers as follows:—

The Society will certainly not have forgotten that, after a long and vexatious controversy with the Commonwealth in regard to certain "Hutchinson Papers,"—presented to the Society by the late excellent Alden Bradford, about fifty years ago, while he was the Secretary of the Commonwealth, and presented, as he said, by the consent of the Supreme Executive of that period, with at least the implied concurrence of the Legislature, to which he reported what he had done,—it was finally agreed by us, on recently discovering that the word "deposited" was used by Mr. Bradford, in one of his communications, instead of "presented," as he had said in all his other communications on the subject, that we would no longer contend against the persistent demands of the Commonwealth, but would surrender to their custody all the papers received by us from Mr. Bradford, as soon as an Arbitrator agreed

* There is no date to this draft, but the paper was unquestionably written at the time of the breaking out of Shays's Rebellion in Massachusetts, in 1786.—Eds.

upon by the parties, after a careful and impartial investigation, should have identified those Papers.

Having thus waived our claim to those Bradford-Hutchinson Papers, nothing remained for us but to open our archives and records freely to the examination of the Arbitrator, and to abide his decision. This we have done; and a formal copy of the Award having been transmitted to me during the past week, I take the earliest opportunity of laying it before the Society. I do so in the full belief that the Society will at once direct its Librarian to comply with the Award.

In yielding up to the State, after a possession of half a century, these original historical manuscripts, it is a satisfaction to us to remember, that there is nothing in them which has not been either printed or copied, and that they will still be in safe keeping for any reference which we or others may desire.

He then read the substance of the decision of Robert S. Rantoul, Esq. (the Arbitrator), as follows:—

“That the papers constituting those volumes [the three volumes lettered “Hutchinson Papers”] are sufficiently identified as being part, if not all, of the documents called the Hutchinson Papers, received by the Society from Secretary Bradford; and that they should be surrendered to the Commonwealth, in accordance with the terms of this arbitration.”

It was thereupon *Voted*, That the Librarian be instructed to comply with the Award, under the direction of the Committee on the “Hutchinson Papers,” taking a receipt for the volumes.

The President read from a newspaper an account of a collection of historical portraits, recently discovered in Philadelphia, of cabinet size, by the well-known artist Sharpless.

There was also announced a gift of a cane of orange wood, by Miss D. L. Dix, which grew on the Arlington Estate in Virginia, originally derived through seeds or slips from trees planted by Washington at Mount Vernon.

The President said that the Curator of the Peabody Museum, Professor Jeffries Wyman, had extended an invitation to all interested to visit the Museum; the collection being placed in an upper room in Boylston Hall, and arranged in order for inspection.

The President said that our associate, Mr. Waterston, had invited the members to an evening meeting at his house, on the 16th December,—the one hundredth anniversary of the “Destruction of the Tea in Boston Harbor,”—and that the Standing Committee had accepted the invitation. He further said that Mr. Waterston would like the privilege of taking to his house for exhibition on that evening the Edes punch-bowl

and the phial of tea in the Society's Cabinet, also some volumes of newspapers of the year 1773.

Voted, To allow Mr. Waterston to take from the Society's rooms the articles named.

Dr. Edward Palmer, who is now connected with the Museum of Comparative Zoölogy, at Cambridge, applied for portions of articles in the Society's Cabinet, to form an historical composition for the Centennial Celebration at Philadelphia, on the 4th of July, 1876. The application was referred to the Cabinet-keeper, with full power.

The President communicated a letter from our Corresponding Member, Mr. Sainsbury, accompanied by a copy of *Memo-randa* from papers in the Public Record Office of England. In the mass of chaff which these memoranda contained, there might perchance be a grain or two of fact; but they are only worthy of being printed as a warning of the false, and sometimes foul, statements which found their way, in old colonial times, to the English Government.

[These Memoranda are in the handwriting of Sir Joseph Williamson, who held the office of Under-Secretary of State, and subsequently that of Secretary of State, under Charles II., and who has indorsed them, "From Maj^r Scott's mouth" ? about 1667].

{ P. R. O. Sir Hen. Vane in 1637 went ov^r as Govern^r to N. Engl^d
Colonial wth 2 women, M^{rs} Dier & M^{rs} Hutchinson, wife to Hutchin-
Papers. son's Brother, w^h he desbauched both, & both were delivered
of monsters. Received y^e K^{'s} Comissⁿ, then banished. M^r
Cotton dyed in 1654, & lived there 26 years. Left 2 sonnes,
both Epöcall.

New England at p^r's hath

I. y^e Massachusetts (Elbowe), Boston is y^e head of it, & stands scituate on 7 hills (Gorton's Simplicity's defence ag^t y^e 7 headed Policy of Boston in N. Engl^d); in 1664 had 14,300 soules; of great Trade to Barbadoes wth fish & other provisions, wth fruit (?) they fetch from Long Island, &c.; 300 vessells that trade abroad to Barbadoes, Virginia, Maderas, Acady, &c.; y^e Towne arched into (?) y^e Sea upon Piles, so as shippes come up to their doores.

1300 Boates that fish at Cape Sables, &c.

1. Merchantible & best Fish send to Malaga & Canaryes.
2. sort they send to y^e Portugall Islands.
3. y^e worst to Barbadoes.

This as all other Townes is governed by 7 Townesmen (so called), of w^{ch} one is a principall person, and of y^e Quorum (?) annuall. chosen by y^e Council & Freemen.

The Milatia is und^r a Majo^r G^rall chosen annually by beanes (?); may have 30,000 fighting men. In every Town

they have an Artillery w^{ch} meets weekly, & all from 16 to 60 traine 8 times in y^e yeare, and all men of y^e Seamen 2, & of such there are at least 8 or 10,000, part of y^e 30,000, w^{ch} are fishermen.

Divided into 4 Countyes.

They are 4 of y ^e associated Countyes	}	Essex. Suffolke. 3. 4.
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Their University is called Cambredge, y^e Colledge is called Harvey (*sic*) Colledge. about 28 [? years] since, who went hence wth y^e Ladyes Arabella & Susanna who went wth M^r Cotton, the E. of Lincolnes sisters. One Dunstan (a Presbyterian Anabaptist) professo^r there, a very ingenious tho' heterodoxe man.

Eaton Dunstan & Chancey	}	their Professors successively.
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Leverett is their Maj^r (& y^e People is y^e Generall); Bellingham, Governo^r, annuall, p^rsides in all Councill, &c., & hath a double vote.

Willoughby, Dep^y Govern^r

One Pike (?) a hopefull man & of great interest among them. [torn away]

Charter
29

They can by their Charter make but 18 Magistrates & Govern^rs, but they decide (?) by making Commiss^{rs} &

Dep^{ys} of y^e Court, as they call it.

The great quantity of Pease, Porke, &c., is from y^e Sea Coast that bord^r Plimouth & Connecticut Colonies.

Have 76 Townes and villages.

Salam Ipswich Charles Towne	}	great Townes of Trade. Codd & Mackerell—in y ^e Elbow Mackerell.
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They have a mind to enlarge their Patent.

Province of Maine. from A. to B. first Granted to S^t Ferd. Gorges, afterwards L. Gorges, & by him to divers others, one Eldredge, [Elbridge?], Godfrey, &c. Now severall of these Towns, as Winterharbor, Saco, Yorke, &c., have been hooked in by y^e Massachusetts, & so their strength goes to that Colony.

Great Fisheries at Isle of Shoales, &c. At Isle of Shoales are more than 1500 Fishermen.

^A × ^A
^A × ^A was part of that that was granted in 1632 to S^t W. Alexander or E. of Sterling in recompense of Canada, then restored to y^e French, & so was Long Island another part, now both are y^e D. of Yorke's, y^e E. of Sterling's Interest being bought out.

Very mountainous & rude uncultivated Country, onely good Harbo^r & fit for fishery.

Y^e Great advantage of this Country will be to be able to take away y^e Fish Trade from y^e Massachusetts, & overbalancing them.

Canada.

Cold & yet but as France (from y^e Great Lakes & y^e snow on y^e mountaines. Winds are generally all Westerly & W. N. W. in y^e latitudes of 43 & 45, &c.)

It is called Nova Scotia, — all o^r generally.

Y^e latitude 32½ wth is Bermudas & Gulfe of Lewis (?) generally Stormy, there y^e wind blowes differently, but generally Southerly.

Cap Breton — an Island with coale on y^e very surface.

T. Temple dwells idly at Boston & is fooled by them. Fort S^t John & Fort Roy^l are y^e only 2 great places, but T. T. suffers them of Boston to trade thither, & robs y^e English.

Fish, coale, furs.

Boston persuaded T. T. to raze his forts, 1662, to spare charge, &c., & so he did, to free themselves from us, & take off y^e checke wee might bee ov^r them. Hopes of copper in several Places. Stands (?) out like fingers, armes & leggs.

Boston payes 1.12^p p Tone in goods from Connecticut & L. Island, q. much more Long Island might gaine, if they would be industrious.

The F. have Quebec, a stronghold, & trade up by y^e Riv^r to it a long passage.

Plimouth — is y^e Elbow of Land about 80 miles long, 22 in breadth, about 1600 men. One Winslow is their Majo^r, an ingenious (?) man. Much unconsiderable in comparison of y^e Massachusetts. A good silent People, nev^r querulous (?) in y^e Rebellion. Planted in the yeare 21.

It holds a deed of y^e Plimouth Corpora^cõn p gladium Comitatus. Mem. y^e D. of Bucks. now alive, being young, gave up that Plimouth Corpora^cõn Charter to one Willis his Tut^r, who sent it into N. Engl^d, & so it fell into their hand. Plimouth Corpora^cõn, so called from y^e Towne in Engl^d where their Councill was held.

Massachusetts has a Castle or Fort at the entrance of Boston, called Castle Island.

Y^e old Pretended grant made to L. Say, &c., was nev^r passed y^e Seale, &c.

Observe they had an Ord^r of Parliam^t in 1649 (?) for their Corpora^cõn, wth argues they had no Patent before.

From Hudson Riv^r to y^e E.w^{ds} of Delaware Bay (New Jersey so called) by L. Berkley & S^t Geo. Carteret for y^e D. of Yorke's Patent.

Pipestaves, Bread, Beeff, Porke, whale oyle.

Sea rich in whales neare Delaware Bay.

Note, most whales about that end of Long Island, &c., as Codd about Nova Scotia.

Maryland. L. Baltimore is Sovereaigne, coyne, issues out all Arrests in his owne name. Likely to have had it in some right of y^e L. Delaware, to whom he was allyed. At p^s^t none of y^e family of Delaware have any right in those parts.

Virginia.

Planted about 100 miles up into y^e Country near y^e River.

James City wth about 20 Houses, but very large. Abroad are little Settle^{ts}.

Fine Riv^r.

Berkley a little agueish.*

His M^{ty} is absolute Sovereaigne here.

Y^e salt water that lyes between y^e maine & Accomacke is about 10 leagues ov^r.

Jucatan is, w^t doe y^{ou} say.†

Indorsed, — "From Major^r. Scott's mouth."

* I very much doubt this reading. The writing throughout is most difficult to decipher. (*Mr. Sainsbury's note.*)

† Here the paper ends. Probably there was some interruption to the interview between Sir Joseph Williamson and Major Scott. There are other memoranda made by Williamson "from Major Scott's mouth," relating to islands in the West Indies, from which it appears that Tobago was taken from the Dutch by Major Scott, in October, 1665. (*Ibid.*)

It is quite probable that this "Major Scott," from whose mouth Williamson took down these worthless memoranda, was identical with the "Captain John Scot" noticed by our associate, Colonel Aspinwall, in our "Proceedings," under date of June, 1862, pp. 65-74. The Publishing Committee had serious doubts about printing this paper, but they finally thought it might at least serve to show what kind of matter sometimes found its way upon the public records of England as materials for history! — Eds.

A Memoir of the late Rev. John S. Barry, by Mr. C. C. SMITH, was laid on the table, and referred to the Committee on the Publication of the "Proceedings."

MEMOIR

OF

REV. JOHN STETSON BARRY, A.M.

BY CHARLES C. SMITH.

JOHN STETSON BARRY, son of William and Esther (Stetson) Barry, was born in Boston, March 26, 1819. His early education does not appear to have been very thorough or systematic, though he is remembered as a bright, active boy. At the age of thirteen he entered the English High School; but before completing the regular course he was transferred to the Latin School, where he remained only a short time. On leaving school, he studied for the ministry with the Rev. Hosea Ballou, 2d, afterward President of Tufts College.

In the autumn of 1838 he was ordained minister of the Universalist Church in West Amesbury, Mass. Here he remained until the following autumn, when he removed to Weymouth to take charge of the Universalist Church in that place. While resident at Weymouth he married, April 8, 1840, Louisa, daughter of Lott and Kezia Young, of Roxbury. In the spring of 1841 he was invited to become minister of the church at West Scituate, near the confines of Hanover, where a considerable part of the society resided, and to which place he shortly afterward removed. After continuing in the pastorate of this church for three years, he went to Pawtucket, R.I., and preached there for a short time; but his health failing he returned to Hanover, and devoted himself to farming, employing a portion of his time in literary pursuits.

In 1847 he published "A Genealogical and Biographical Sketch of the Name and Family of Stetson, from the year 1634 to the year 1847." This is a careful and well-arranged monograph, showing diligent research, and embodying much interesting information with regard to Cornet Stetson, the first of the family who came to America. There are also notices of several of his descendants; and in spite of a somewhat too obvious pride of ancestry, and a disposition to magnify the

characters and services of some of the persons mentioned, it is one of the best works of its class.

Six years afterward Mr. Barry published a much larger and more elaborate work, — "A Historical Sketch of the Town of Hanover, Mass., with Family Genealogies." This volume is not less creditable to his antiquarian zeal and his diligence in gathering materials for his work than was its predecessor; but its literary execution is sometimes open to criticism. Accustomed to public speaking, Mr. Barry did not always keep in mind the difference between a popular discourse and a printed memoir; and there are not infrequently passages of jejune and tawdry rhetoric which might pass unchallenged in a lecture-room, but which will not bear the test of print. So far as painstaking research and orderly arrangement are required, nothing more can be desired; and the genealogical part, which fills a little more than half of the volume, gives abundant evidence of Mr. Barry's patient industry, and would in itself entitle him to an honorable place among genealogists.

In 1855 he published the first volume of a "History of Massachusetts," bringing the narrative down to the close of the Colonial period; and in November of that year he was elected a member of the Historical Society. In the following year he issued a second volume, covering the Provincial period; and in 1857 appeared the third and concluding volume, which extended over the period between the commencement of the War of Independence and the year 1820. This work was designed mainly as a popular compilation from the best and most recent printed authorities, rather than as an attempt to throw new light on the subject by independent investigation. Indeed, the short time allowed for the preparation of the work, and the rapidity with which the successive volumes followed one another through the press, would have prevented any thorough study of the manuscript sources of information. They were accordingly used very sparingly; and Mr. Barry does not appear to have had access to any of the materials to be obtained on the other side of the Atlantic. Judged, however, with reference to their obvious purpose, his volumes merit very high praise. His selection of authorities is careful and discriminating; his narrative lucid and exact; his judgments candid, and in general such as commend themselves to nearly all competent critics; and his style, if somewhat cold and passionless, is clear and correct. He had little imagination, and his descriptions are never glowing and picturesque. Nor does he ever rise into passages of genuine eloquence or of vivid characterization. These defects doubtless affected the popularity of

the History with the class of readers for whom it was specially designed; but they do not detract from its real merits. Within the limited field to which Mr. Barry's labors were confined he has had no superior.

While engaged in the preparation of this History, the fortunate discovery was made which led to the identification and publication of Bradford's long-lost "History of Plymouth Plantation." The circumstances connected with this important service to historical literature are so fully stated in the Editorial Preface to Bradford's History that they need not be repeated here. It is sufficient to add that, although the lost History had been identified with a manuscript in the Fulham Library six or seven years before Mr. Barry noticed the coincidence between the citations by Bishop Wilberforce and the passages quoted from Bradford by Morton and Prince, no one of our own antiquaries appears to have had any knowledge of the discovery, until after Mr. Barry had called attention to his own independent discovery.*

Shortly after the publication of the first volume of his "History of Massachusetts" he removed to Roxbury, where he remained until the completion of the work. He then became minister of the Church at Needham, retaining charge of the pulpit for about two years.

In 1861 he was appointed editor of "The Universalist," an influential denominational paper published in Boston; and in the same year he received the honorary degree of Master of Arts from Tufts College. He resigned the editorship of this journal in 1862.

At a later period, during the fever of speculation which attacked so many persons after the breaking out of the Rebellion,

* In 1845 the Rev. J. S. M. Anderson published the first volume of a "History of the Church of England in the Colonies and Foreign Dependencies of the British Empire." This was followed by the second volume in 1848, and by the third volume in 1855. A second edition, a copy of which is in the Library of the Historical Society, was published in 1856. In this edition, vol. ii. p. 193, is the following note, — and the same note is in the edition of 1848: "Few passages are to be found in which this hatred of Puritans against the Episcopal Order is expressed in more awful terms than in Bradford's MS. History of Plymouth Colony, of which he was the first Governor. The bitterness of his rancor upon hearing of the downfall of the Bishops is only equalled by the falseness of his prophecy that they should never be restored. Prince's Annals of New England are chiefly compiled from this MS., which is now in the possession of the Bishop of London." Bishop Wilberforce, who published his "History of the Protestant Episcopal Church in America" in 1846, simply refers to a "MS. History of the Plantation of Plymouth, &c., in the Fulham Library," and it was from the citations in this volume that Mr. Barry was led to think that he had discovered Bradford's History. There is no reason for supposing he had ever seen Mr. Anderson's volumes.

he embarked in some financial schemes which proved disastrous to himself and to those who were connected with him.

In 1869 he removed to Wakefield, and resumed his literary labors; but the state of his health was such that he was compelled to lay aside his pen. Suffering much from depression of spirits, and from a severe nervous disease which was aggravated by a fall and at times confined him to a couch during a considerable part of every day, he nevertheless looked forward to a resumption of work. In November, 1872, he went to St. Louis, Mo., partly to spend the winter with a recently married daughter, and partly in the hope that a change of air and scene would contribute to the restoration of his health. But this hope was disappointed; and, after a short and severe sickness, he died in that city, December 11, 1872, leaving a widow and four daughters.

The subject of the By-Laws was now considered, and the following code was adopted, comprising all the By-Laws of the Society:—

BY-LAWS.

CHAPTER I.

OF MEMBERS.

ARTICLE 1.—The Regular or Resident Members of the Society shall be elected from among the citizens of this Commonwealth, and shall cease to be members whenever they cease to be citizens thereof. Honorary and Corresponding Members shall be elected from among those persons who are not citizens of this Commonwealth, and the latter shall cease to be members if at any time they become citizens thereof. Resident Members only shall be entitled to vote or to take part in the business transacted at the meetings of the Society.

ART. 2.—A book shall be kept by the Recording Secretary, in which any Resident Member of the Society may enter the name of any person whom he may regard as suitable to be nominated as a Resident, Corresponding, or Honorary Member; it being understood that each member is bound in honor not to make known abroad the name of any person proposed or nominated. But no nomination of any member shall be made except by a report of the Standing Committee or Council,* at a stated meeting of the Society, nor be acted upon at the same meeting to which it is reported; nor shall more than two candidates for membership, of the same class, be reported at any one meeting.

ART. 3.—Nominations of Corresponding or Honorary Members shall be accompanied by a brief statement of the place of residence and qualifications of the person nominated.

ART. 4.—All members shall be elected by ballot; and, in balloting for members, the law and custom of our forefathers shall be observed, by taking the question with Indian corn and beans; the corn expressing *yeas*, and the beans *nays*.

* The body hitherto called the "Standing Committee" is now called the "Council" of the Society.

But no person shall be deemed chosen, unless there be twenty members present at the election, nor unless three-fourths of all the members present shall have voted affirmatively.

ART. 5. — Each Resident Member shall pay twenty dollars at the time of his admission, and ten dollars annually afterwards, into the treasury of the Society, for its general purposes; but any member shall be exempted from the annual payment, if, at any time after his admission, he shall pay into the treasury one hundred and fifty dollars in addition to what he may before have paid; and all commutation fees shall be funded by the Treasurer, and the interest only used for the current expenses of the Society. Each Resident Member shall be entitled to receive a copy of all the regular publications of the Society, issued after his election, without charge; and all members who have paid the commutation fee shall be entitled to the privilege of the Library, and to copies of the publications, for life, even should their membership cease by removal from the State or by resignation.

ART. 6. — If any person elected as a Resident Member shall neglect, for one year after being notified of his election, to pay his admission-fee, his election shall be void; and, if any Resident Member shall neglect to pay his annual assessment for two years after it shall have become due and his attention shall have been called to this article in the by-laws, he shall cease to be a member; provided, however, it shall be in the power of the Treasurer, with the consent of the President, to dispense (*sub silentio*) with the payment of the assessment, whenever, in any special instance, they may think it advisable to do so. Each person who shall be elected a Resident Member shall, when notified of it, be furnished by the Corresponding Secretary with a copy of this Article and the preceding one.

ART. 7. — Diplomas signed by the President, and countersigned by the two Secretaries, shall be issued to all persons who have become members of the Society.

CHAPTER II.

OF MEETINGS.

ART. 1. — There shall be a Regular Meeting of the Society at eleven o'clock, A.M., on the second Thursday of every month, at their rooms in Boston; provided, however, that the

Council shall have authority to postpone any such monthly meeting, or to dispense with it altogether, or to direct it to be held at other rooms, whenever a day of public observance shall happen on the second Thursday of any month, or whenever a different time or place shall, for any cause, be obviously for the convenience of the members. Special meetings shall be called by either of the Secretaries, whenever requested so to do by the President, or, in case of his absence or inability, by one of the Vice-Presidents or by the Council.

ART. 2.—At all meetings, the President shall take the chair in five minutes after the time appointed in the notification; and the record of the preceding meeting shall then be at once read. After which, at all Special Meetings, the special business for which the meeting was called shall be transacted; and, at all Regular Meetings, the order of business shall be as follows:—

First, The Librarian shall make his report.

Second, The Cabinet-keeper shall make his report.

Third, The Corresponding Secretary shall read any communications he may have received.

Fourth, The unfinished business and the assignments of the last meeting shall be taken up in their order.

Fifth, The Council shall be called on to report its doings since the last meeting.

Sixth, Other committees shall be called on for reports.

Seventh, The Society shall then proceed to such matters of business as may be proposed by any member; after which members generally shall be invited to make any communications on any subject having relation to the purposes of the Society; and, for the orderly accomplishment of this object, the Society shall be divided into three sections, as nearly equal in numbers as may be, each of which, in regular sequence, shall be notified by the Recording Secretary, that the Society, at the next meeting, will receive from it such communications; and the officer presiding at the next meeting shall call upon members of such section to offer any communication; after which, the communication so made may be discussed by the Society generally.

ART. 3.—Fifteen members shall be a quorum for all purposes except the election of members, as hereinbefore provided; and excepting, also, for alterations of the By-laws, which shall not be made unless twenty persons are present, nor unless the subject has either been discussed at a previous meeting, or reported on by a committee appointed for the purpose.

ART. 4. — At the request of any two members present, any subject proposed for discussion shall be once deferred to a subsequent meeting, before it is finally disposed of.

ART. 5. — All committees shall be nominated by the chair, unless otherwise ordered.

CHAPTER III.

OF OFFICERS.

The officers of the Society shall be a President, who shall be, *ex officio*, Chairman of the Council; two Vice-Presidents; a Recording Secretary, who shall also be, *ex officio*, Secretary of the Council; a Corresponding Secretary; a Treasurer; a Librarian; and a Cabinet-keeper, — all of whom shall be chosen by ballot at the monthly meeting in April, and shall hold their respective offices for one year, or until others are duly chosen in their stead. At the same meeting five members shall be chosen (no more than two of whom shall hold their places for more than two successive years) who, with the foregoing officers, shall constitute the Standing Committee or Council of the Society; which may fix its own quorum, provided that no nomination of members shall be made to which less than seven of its number shall have assented at a meeting of the Council.

At the regular monthly meeting preceding any election of officers, a Nominating Committee, consisting of three persons, shall be appointed, who shall report to the meeting at which the election is to be made a list of members for the places to be filled.

CHAPTER IV.

OF THE PRESIDENT.

The President shall preside in all meetings of the Society when present, and, when absent, one of the Vice-Presidents in the order of their names. In the absence of all these officers, a President *pro tempore* shall be chosen.

CHAPTER V.

OF THE RECORDING SECRETARY.

ART. 1. — The Recording Secretary, or, in case of his death or absence, the Corresponding Secretary, shall warn all meetings of the Society, by causing to be sent, through the post-office, to all the Resident Members, notices of each meeting. Notices of the regular meetings shall be issued on the Monday preceding.

ART. 2. — He shall keep an exact record of all the meetings of the Society, with the names of the members present; entering in full all reports of committees that may be accepted by the Society, unless otherwise specially directed, or unless the same are to be included in the printed proceedings.

See Chap. IX., Art. 6.

CHAPTER VI.

OF THE CORRESPONDING SECRETARY.

ART. 1. — The Corresponding Secretary shall inform all persons of their election as members of the Society, and on their acceptance shall issue the proper diplomas.

ART. 2. — He shall carry on all the correspondence of the Society not otherwise provided for; and deposit copies of the letters sent and the original letters received, in regular files, in the Library:

CHAPTER VII.

OF THE TREASURER.

ART. 1. — The Treasurer shall collect all moneys due to the Society, and shall keep regular and faithful accounts of all the moneys and funds of the Society that may come into his hands, and of all receipts and expenditures connected with the same, — which accounts shall always be open to the inspection of the members; and, at the regular meeting in April, he shall make a written report of all his doings for the year preceding, and of the amount and condition of all the

property of the Society intrusted to him. One week before the monthly meeting in April of each year, he shall give notice to every member of any assessment remaining due from him.

ART. 2. — He shall pay no moneys, except on vote of the Society, or on voucher of an officer or committee acting conformably to its laws or orders.

CHAPTER VIII.

OF THE COMMITTEE ON THE TREASURER'S ACCOUNTS.

At the monthly meeting in March, annually, a Committee shall be appointed by nomination from the chair, consisting of not less than two persons, whose duty it shall be to examine the Treasurer's accounts for the year preceding, and at the monthly meeting in April to report thereon, and on the state of any property of the Society in his hands.

CHAPTER IX.

OF THE LIBRARIAN, AND OF THE LIBRARY.

ART. 1. — The Librarian shall have charge of all the books, tracts, maps, manuscripts, and other property of the Society appropriate to a library; and shall cause to be made, and kept exact and perfect, catalogues of each and all of them, doing whatever may be in his power, at all times, to preserve and increase the collections under his care.

ART. 2. — He shall acknowledge each donation that may be made to the Library, by a certificate addressed to the person making it.

ART. 3. — He shall, at every monthly meeting of the Society, report all donations made to the Library since the last monthly meeting, with the names of the donors; and, at the annual meeting, shall present a statement of the condition and wants of the Library, with a notice of the important accessions that may have been made to it during the year.

ART. 4. — He shall cause to be kept an exact account of all

books taken out, with the names of the persons who take them, and the dates when they are borrowed and returned.

ART. 5. — He shall report in writing, at each monthly meeting, the name of every book that has been out of the Library for a longer term than is permitted by the by-laws, and shall use his discretion in obtaining the return of such books.

ART. 6. — He may have an assistant, not a member of the Society, appointed by the Council, who shall aid him in all or any of his duties ; who shall also aid the Recording Secretary in notifying meetings, copying reports, or in any other way that may be required, and who shall render such other services to the Society connected with its Library or its general proceedings as the Council may direct.

ART. 7. — The Librarian shall be present in the Library, in person or by his assistant, at the regular hours, and at such other times as may be appointed for keeping it open ; and shall endeavor to render it useful to all who may resort to it.

ART. 8. — Any Resident Member of the Society may take from the Library three printed volumes at a time, and keep each of them four weeks, with a right to renew the loan for four weeks more, unless some other member has, in that interval, asked for it in writing ; but if he retains it beyond this second period, he must first obtain the written assent of a member of the Council, permitting him to do so, or he shall be fined ten cents a week for each volume so retained.

ART. 9. — All members taking books from the Library shall be answerable for any injury done to the same, to such amount as may be deemed just by the Council ; and any person neglecting to pay any fines, or assessments for damages, one month after he shall have received notice of the same from the Librarian, or otherwise abusing his privilege to the injury of the Library, shall, by order of the Council, be interdicted from access to the same.

ART. 10. — At the written request of any Resident Member of this Society, the Librarian shall permit any person to visit and use the Library, at such times as the Librarian may be in attendance ; such member becoming thereby responsible for any injury to the property of the Society that may result from such introduction of a stranger.

ART. 11. — At the written request of any Resident Member of the Society, the Librarian shall deliver to any one person indicated in such request, but to no more than one person at the same time, any book or books belonging to the Society,

which the member himself could take out ; such member, by such request, making himself responsible that all the rules relating to the book or books so taken out shall be as fully observed by the person authorized to receive them as if he were a member ; and that any injury accruing to the property of the Society, in consequence of the privilege thus granted, shall be made good by the member at whose request the grant is made.

ART. 12. — At the meetings in April, July, October, and January, the Librarian shall lay before the Society a list of the names of those persons, not members, who, during the preceding three months respectively, may have had access to the Library by permission of individual members of the Society, with the names of the members at whose request the privilege was granted ; adding a statement of each injury that may have been sustained by the property of the Society, in consequence of granting such permission, and the name of the member bound to make it good.

ART. 13. — The Publishing Committee, for the time being, shall be permitted to take such books and manuscripts from the Library as they may need, in order to perform the duty assigned to them by the Society ; but the Librarian shall make a record of whatever is so taken, and, as soon as the volume they may have in charge is published, he shall require the return of the same.

ART. 14. — All manuscripts of the Society shall be kept under lock and key, and be used only in presence of the Librarian or his assistant.

ART. 15. — Persons not members of the Society, engaged in historical pursuits, shall be allowed to consult the manuscripts belonging to the Society, provided an application in writing, stating the object of the inquiry, be first made to the Librarian, who shall make record of the same.

ART. 16. — No manuscript, and no part of a manuscript, belonging to the Society, shall be copied, except on permission granted by the Council, after an application in writing, specifying the manuscript, or part thereof, desired to be copied ; and if any manuscript belonging to the Society shall, in consequence of such permission, be published, in whole or in part, the fact that it was obtained from the Society shall be required to be stated in its publication. But nothing herein shall be construed to prevent the publication of names, dates, and other chronological memoranda, without special permission.

ART. 17. — Manuscripts of a confidential nature shall be

retained in a place of special deposit, and shall be consulted only under such regulations as may be prescribed in each case by vote of the Society.

ART. 18. — No maps, newspapers, or books, either of great rarity or of constant reference, shall be taken from the Library, except by vote of the Society.

ART. 19. — All tracts, books, maps, and manuscripts belonging to the Society, shall be distinctly marked as its property; and any such tract, book, &c., that may be presented to the Society shall be marked with the name of the donor, and recorded as his gift.

ART. 20. — The Library shall be open on all week-days, from nine o'clock in the forenoon till sunset (but not later than six o'clock), throughout the year, except on the afternoons of Saturdays, and on days of public observance, and also during the fortnight before the annual meeting in April, when it shall be closed for examination; and all books that may be lent are hereby required to be returned previous to that fortnight, under a penalty of a fine of one dollar for each volume not so returned.

CHAPTER X.

RULES FOR THE DOWSE LIBRARY.

ART. 1. — The room in which the books are deposited which were presented to the Society by Thomas Dowse shall be known for ever as the DOWSE LIBRARY OF THE MASSACHUSETTS HISTORICAL SOCIETY.

ART. 2. — Agreeably to the condition prescribed by Mr. Dowse, no book shall be taken out of this room.

ART. 3. — Books may be used in the room by members of the Society, and by others introduced by them in person; but no book shall be taken from the cases except by members, or by the Librarian's assistant, who shall cause each book to be returned to its proper place immediately after it has been used.

ART. 4. — Meetings of the Society may be held in the Dowse Library, at the discretion of the Council; but the room shall not be used for any other meetings.

CHAPTER XI.

OF THE CABINET-KEEPER, AND THE MUSEUM.

ART. 1. — The Cabinet-keeper shall have charge of all coins, works of art, remains of antiquity, and other articles appropriate to the Society's Museum, and shall make and keep perfect and exact catalogues of the same.

ART. 2. — He shall acknowledge each donation he may receive, by letter, to the person making it. At every monthly meeting of the Society, he shall report whatever may have been added to the collection of which he has charge, with the names of the donors; and, at the annual meeting, shall present a full report of the condition of the Museum.

CHAPTER XII.

OF THE STANDING COMMITTEE OR COUNCIL.

ART. 1. — The Standing Committee or "Council," as vacancies occur in the Society by death or otherwise, shall, at their discretion, report nominations for Resident Members to fill the same.

ART. 2. — They shall pay the current expenses of the Society, drawing on the Treasurer, from time to time, for such sums as may be necessary for that purpose.

ART. 3. — They shall annually, in the month of April, make a careful examination of the Library and Museum of the Society, and also of the Dowse Library; comparing the books, manuscripts, and other articles in each, with their catalogues, respectively, and reporting at the April meeting, in detail, concerning their condition.

ART. 4. — They shall record in full, in a book kept by them for the purpose, any permission granted by any one of their number for the consultation of the manuscripts of the Society, by persons not members.

ART. 5. — They shall meet in the Society's rooms on the Monday previous to every regular meeting, at such hour as they may agree upon, and at such other times as the Chairman shall call them together, for the fulfilment of their appropriate duties, and for the purpose of facilitating the transaction of such business as will be brought before the

Society ; and for making such arrangements as may be expedient for securing the communication of historical papers.

ART. 6. — They shall, at every meeting, report to the Society all their doings since the last meeting, suggesting at the same time such business as they may deem advisable to bring before it.

CHAPTER XIII.

OF THE PUBLISHING COMMITTEE.

ART. 1. — Immediately after the publication of any volume of the Collections of the Society, or at any other time when the Society may order, a Committee of not less than three persons shall be appointed by nomination from the chair, whose duty it shall be to prepare and publish another volume ; for which purpose, free use is granted to them of all the manuscripts, printed books, and other resources of the Society, except the manuscripts deposited as confidential ; said Committee being required hereby to return whatever they may have thus received, so soon as their use of the same for the purposes of such publication shall have ceased.

In every publication that shall be made from the income of the APPLETON FUND, or of the PEABODY FUND, there shall be inserted in each volume a statement in print, that it was made at the charge of that fund which bears the expense of the publication.

ART. 2. — The Recording Secretary, and two other members to be appointed by the President, shall constitute a Committee, with full power to provide for occasional reports, as well as for the permanent publication of the proceedings of the Society, subject to the following limitations : —

First, Neither the remarks nor the name of any member shall be introduced into any report without his permission.

Second, All papers read or remarks made by any member, which such member shall desire or be willing to have printed, shall be submitted to the above-named Committee for the purpose, and shall be subject to their discretion : provided, however, that any member may publish, on his own responsibility, any paper or remarks of his own which the Committee may not think fit to include in their report ; it being understood that, in such case, the name of the Society is not to be used in any way whatever in connection with such publication.